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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,338	11/07/2001	John T. Wood	P05359US0	3876

27139 7590 08/11/2004

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DES MOINES, IA 50309-2721

EXAMINER
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STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AS

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/045,338	WOOD, JOHN T.	
	Examiner	Art Unit	
	FRANKIE L. STINSON	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/7/2001</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-10 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelsey in view of Cotton et al. (U. S. Pat. No. 4,663,538), Rummel or Davis.

Re claims 1 and 1, Kelsey is cited disclosing a multiple compartment dishwasher comprising: a housing; a first compartment (12) for washing within the housing; a second compartment (13) for washing within the housing; a plurality of dishwasher components (typical) each having a power load when activated; at least one of the plurality of dishwasher components operatively disposed within the first compartment; at least one of the plurality of dishwasher components operatively disposed within the second compartment, the first and second compartment both adapted for independent operation (see col. 3, lines 12) that differs from the claim only in the recitation of the power limiting and distribution control system. The patent to Cotton, Rummel and Davis are all cited disclosing systems for controlling dual appliances, where there is provided a controller for limiting and distributing power between the appliances. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Kelsey, to include a power limiting/distributing control system as taught by Cotton, Rummel or Davis, for the purpose of preventing the overloading of the circuits and household electrical system. Re claims 4, 5, 6, 7, 13 and 15, no patentable distinction is

deemed to exist between the intelligent controller/microcontroller/microprocessor as connected to the washer components claimed the corresponding elements as taught by either Rummel, Davis or Cotton. It should also be noted that the bus is deemed to be inherent in the control means/circuit of the applied references, as it is notoriously known in the art. Re claim 8, 14 and 16, Cotton, Rummel and Davis disclose the interface. Re claim 9, Rummel discloses the sensor (protection switch 27). Re claim 17, Davis discloses the prevention of simultaneous components (see abstract).

3. Claims 2, 3, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claims 1 and 10 above, and further in view of Hummel.

Claims 2 and 11 define over Kelsey only in the recitation of the isolating circuit connected between the appliances. Hummel is cited disclosing in a control system for dual appliances, an isolating circuit (see abstract). It therefore would have been obvious to one having ordinary skill in the art to modify the device of Kelsey, to include a isolation circuit as taught by Hummel, for the purpose of isolating the circuits since Kelsey disclose that the appliances may be operated independently. Re claims 3 and 12, Hummel also discloses the optocoupler (see abstract).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Sargent et al.'244, Burgess et al., Singh and European patent Office 374,010, note the control means.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is

(571) 272-1308. The examiner can normally be reached M-F from 5:30 a.m. to 2:00 p.m. and some Saturdays from 5:30 a.m. to 11:30 a.m.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to TECHNOLOGY CENTER 1700 (571) 272-1700.

Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact the TEAM LEADER Ms. Nicol Scott (571) 272-1045.

fls



FRANKIE L. STINSON  
Primary Examiner  
Art Unit 1746